

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Michigan Republican Party, *et al*

Plaintiffs,

Case No.: 19-cv-00669-JTN-ESC

v

Hon. Janet T. Neff
Magistrate Judge Ellen S. Carmody

Jocelyn Benson, in her official capacity as
Michigan Secretary of State,

Defendant.

**PROPOSED INTERVENOR-DEFENDANT'S
MOTION FOR LEAVE TO INTERVENE**

**** EXPEDITED CONSIDERATION REQUESTED ****

NOW COMES Proposed Intervenor-Defendant Count MI Vote (d/b/a “Voters Not Politicians”), a Michigan non-profit corporation, by and through its attorneys Fraser Trebilcock Davis & Dunlap, P.C., and for its Motion for Leave to Intervene pursuant to Fed. R. Civ. P. 24(b) states as follows:

1. For the reasons explained in the accompanying brief, which are incorporated by reference, the requirements for permissive intervention under Fed. R. Civ. P. 24(b) and (c) have been satisfied and permissive intervention is properly granted.

2. In a companion case, *Daunt v. Benson*, Case No. 19-cv-00614, this Court recently granted leave to Voters Not Politicians to intervene in that matter by order dated August 28, 2019. (ECF No. 23, Case 1:19-cv-00614-JTN-ESC). The case at bar and *Daunt* are cognate cases, which share common questions of law and fact, such that their assignment to a single judge, the Honorable Janet T. Neff, was warranted to effect a substantial saving of judicial effort and to avoid wasteful and duplicative proceedings.

3. Voters Not Politicians seeks expedited consideration of the present motion for permissive intervention pursuant to W. Mich. LCivR. 7.1(e) because the Plaintiffs in this matter have filed a Motion for Preliminary Injunction. (ECF No. 2). The Plaintiffs' Motion for Preliminary Injunction was filed on August 22, 2019, and pursuant to LCivR. 7.2(c), any response should be filed within 28 days thereafter. Voters Not Politicians seeks expedited consideration of its motion for permissive intervention so that it may be allowed to timely respond to Plaintiffs' Motion for Preliminary Injunction.

4. Pursuant to LCivR. 7.1(d), Voters Not Politicians has attempted to ascertain whether or not this motion will be opposed. Neither Plaintiffs nor the Defendant oppose this motion. A separately filed certificate has been submitted that sets forth in detail the efforts that were taken to comply with the obligations created by LCivR. 7.1(d).

WHEREFORE, Proposed Intervenor-Defendant Count MI Vote (d/b/a "Voters Not Politicians") respectfully requests that this Honorable Court GRANT its Motion for Leave to Intervene pursuant to Fed. R. Civ. P. 24(b) and enter an order that permits it to participate as a Defendant in this matter.

Respectfully submitted,

Fraser Trebilcock Davis & Dunlap, P.C.
Attorneys for Proposed Intervenor-Defendant
Count MI Vote, d/b/a Voters Not Politicians

Dated: September 5, 2019

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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2019, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record.

Respectfully submitted,

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Count MI Vote d/b/a Voters Not Politicians

Dated: September 5, 2019

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